

**U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

**APPEAL NO. 23-12907-D**

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MATTHEW DORY,  
Plaintiff/Appellants

v.

UNITED AIRLINES,  
Plaintiff/Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

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APPELLANT’S MOTION FOR EXTENSION OF TIME  
IN WHICH TO FILE NOTICE OF APPEAL AND  
OPPOSITION TO APPELLEE’S MOTION TO DISMISS

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Comes now the Appellant, by and through Counsel, and, opposing Appellee’s Motion to Dismiss, moves this Honorable Court, pursuant to Federal Rule of Appellate Procedure 26 and Eleventh Circuit Rule 26, for a 4-day extension of time in which to file the Notice of Appeal in this case, which was due 01 September 2023. In support of its motion, the undersigned counsel states as follows:

1. The trial court judge entered an Order granting Defendant’s Motion to Dismiss on 02 August 2023.

2. Plaintiff's Counsel erroneously believed that the 30-day mark was 02 September 2023, which fell on a Saturday during Labor Day weekend.
3. Plaintiff's Counsel consequently erroneously believed that the deadline for filing the Notice of Appeal was 05 September 2023.
4. It did not occur to Plaintiff's Counsel that the actual deadline was 01 September 2023 until receipt of Defense Counsel's Motion to Dismiss.
5. Appellee will not be prejudiced by a four-day extension.
6. Counsel for Appellee opposes the Motion.

For the above-stated reasons, the undersigned Counsel respectfully requests that the Court extend the due date for the Notice of Appeal until 05 September 2023.

#### **CERTIFICATE OF COMPLIANCE WITH TYPE VOLUME LIMIT**

This document complies with the word limit of Fed. R. App. P. 27(d)(2)(A) as it contains 1,188 words. This document complies with the typeface requirements for Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because the document was been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman size 14 font.

DATED this 21st day of September 2023.

Respectfully submitted,

MATTHEW DORY

By Counsel

/s/ Augustus Invictus  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 21 September 2023, I electronically filed the foregoing motion of Appellant with the Clerk of the Court using the CM/ECF System, which will send notice, and constitute service, of such filing to the following registered CM/ECF users: Amanda Simpson, Counsel for the Appellee; Vaughn Glinton, Counsel for the Appellee.

/s/ Augustus Invictus  
Augustus Invictus, Esq.